

Minutes of the Special and Regular City Council Meeting of July 22, 2003.

Twin Pines Senior and Community Center, 1223 Ralston Avenue.

SPECIAL MEETING TIME 7:00 P.M.

CLOSED SESSION 7:00 P.M.

A. Public Employee Performance Evaluation, pursuant to Government Code Section 54957: City Attorney Savaree

Attended by Councilmembers Feierbach, Metropulos, Warden, Bauer, Wright, City Manager Kersnar, City Attorney Savaree. City Clerk Cook was excused from attending.

ADJOURNMENT at this time, being 7:20 P.M., this Closed Session was adjourned.

This meeting was not tape-recorded.

Terri Cook

City Clerk

REGULAR MEETING - 7:30 P.M.

COUNCILMEMBERS PRESENT: Feierbach, Metropulos, Warden, Bauer, Wright

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Kersnar, Assistant City Manager Rich, City Attorney Savaree, Community Development Director Ewing, Public Works Director Davis, Finance Director Fil, City Clerk Cook

Pledge of Allegiance

Led by City Clerk Cook.

ANNOUNCEMENT OF CLOSED SESSION ITEM

Mayor Wright announced that direction had been given, no action taken.

SPECIAL PRESENTATIONS

Recognition of Outstanding Service of Ed Rodriguez, Finance Commissioner.

Mayor Wright presented outgoing Finance Commissioner Ed Rodriguez with a Proclamation recognizing his contribution to the City.

Warren Lieberman, Chair, Finance Commission, stated that Ed served as a mentor to him when he joined the Commission approximately three to four years prior. He read a statement of appreciation on behalf of the Commission.

Howard Mason, City Treasurer, thanked Ed for his many years of public service to the Belmont community.

Ed Rodriguez thanked the Mayor and Council for the recognition, and stated that he enjoyed serving on the Finance Commission.

Presentation by the San Mateo County Mosquito Abatement District of activities related to abatement of West Nile Virus.

Robert Blake, Belmont Trustee, Mosquito Abatement District, introduced himself and District staff members James Counts and Dr. Chindi Peavey.

James Counts, Mosquito Abatement District, reviewed the activities of the District, which includes integrated pest management and yellow jacket control. He stated that mosquitoes breed in storm drains, creeks, and utility vaults. He also reviewed the number and types of service requests responded to by the District staff.

Dr. Chindi Peavey, Mosquito Abatement District, outlined the District's activities regarding disease surveillance. She stated that West Nile Virus, which spread to the United States in 1999, was expected to reach California this year. She clarified the methods the District was using to monitor and control this disease.

In response to questions from Councilmember Bauer, Dr. Peavey stated that the symptoms of West Nile Virus were similar to the flu. In response to Councilmember Metropulos, Mr. Counts responded that the District makes presentations to school groups.

Council concurred that the presentation was very informative.

RECESS: 7:53 P.M.

RECONVENE: 7:55 P.M.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Greg Lizak, Bishop Road, spoke regarding the recent recommendation of the Open Space and Recreation Task Force for additional funding to be made to the San Juan Canyon Trust. He stated that the Council has already given money to the Trust, and he suggested that the City request an audit of those funds to see where they've been spent. He also stated he has a number of recommendations with regard to the Trust, and would present them in detail at a later time.

George Kranen, Notre Dame Avenue, commented on the Hawaiian shirts worn by Council and staff.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

Councilmember Bauer stated that Greg Hubbell, the Belmont youngster who won the National Elk Bugling Contest, would be appearing on the Jimmie Kimmel show on July 23.

Councilmember Metropulos announced that the State Championship Belmont Blast Girls' Softball Team would be leaving in the next few days for the National Championship in Texas. He also stated that Council and staff were wearing Hawaiian shirts to get in the spirit of the upcoming Council Meeting vacation.

Mayor Wright announced that the Chamber of Commerce was hosting its first annual Community Faire on August 10 at Twin Pines Park. He also announced the City-wide Garage Sale on August 2, and that the Belmont Library would be participating in that event. He stated that Channel 7's ABC Listens would be hosting a Community Feedback evening on July 24 at the Notre Dame de Namur University.

Councilmember Warden added that the Friends of Belmont Library were accepting donations of books and toys for the Garage Sale.

AGENDA AMENDMENTS

Mayor Wright announced that at the request of staff, Council members, and members of the public, Consent Agenda Items 4-H (League of California Cities Conference Delegate), 4-I (Grand Jury Response), 4-L (City Hall/Police Facility Plans and Specs) and 4-M (Harris and Associates Contract amendment) would be considered separately.

CONSENT CALENDAR

Approval of meeting minutes: Special and Regular Meetings of June 24, 2003 and July 8, 2003.

Approval of Warrant List Dated: June 20, 2003 in the total amount of \$226,822.93 and dated July 3, 2003 in the total amount of \$695,164.18 and July 11, 2003, in the total amount of \$127,163.29.

Motion to approve Claims Management Report.

Motion to waive reading of Ordinances.

Approval of Resolution 9446 Authorizing a Professional Services Agreement renewal with Midpeninsula Community Media Center for the technical services for cablecast of City Council meetings.

Approval of Resolution 9447 Approving a Professional Services Agreement with Towill, Inc., to provide Aerial Photography Services – Phase I, for an amount not to exceed \$45,000.

Approval of Resolution 9448 Approving Amendment 1 to the Professional Services Agreement with Cotton Shires & Associates for Investigation and Design of Creek Bank Stabilization for an Amount not to Exceed \$17,382, and Approving a Contingency not to Exceed \$1,738, 1133-1145 Alameda de las Pulgas Drainage, CCN 419.

Approval of Resolution 9449 Vacating an Existing Storm Drain Easement and Acquiring and Easement in Exchange Thereof on Property at 2440 Carlmont Drive APN 045-031-010.

Approval of Resolution 9450 Authorizing the City Manager to enter into Cooperative Agreement between The City of Redwood City and the City of Belmont for Highway 101/Ralston Avenue Interchange Improvements.

Adoption of Ordinance 992 Deleting Chapter 2, Article V of the Belmont Municipal Code, Purchasing, and introducing Chapter 2, Article V Regarding Purchasing Control System.

Action: On a motion by Councilmember Bauer, seconded by Councilmember Metropulos, the consent agenda, with the exception of Items 4-H (League of California Cities Conference Delegate), 4-I (Grand Jury Response), 4-L (City Hall/Police Facility Plans and Specs) and 4-M (Harris and Associates Contract amendment), was unanimously approved by a show of hands.

Motion designating Voting Delegate for League of California Cities Annual Conference.

City Manager Kersnar stated that he, City Attorney Savaree, and Councilmember Bauer would be attending the League of California Cities Annual Conference in September, and that Councilmember Bauer would be the delegate for the business meeting portion of the Conference. In response to Council questions, City Manager Kersnar clarified that sometimes the League forwarded resolutions to be considered ahead of the conference, but sometimes they were not available until the conference. In response to a request from Councilmember Feierbach, City Attorney Savaree stated that she would confer with Councilmember Bauer regarding City issues prior to his attendance at the Conference's business meeting. City Manager Kersnar clarified that if resolutions for consideration were received ahead of time, they would be forwarded to Council for review.

Action: On a motion by Councilmember Warden, seconded by Councilmember Feierbach, Councilmember Bauer was unanimously approved by a show of hands to be the Voting Delegate to the League of California Cities Annual Conference.

Resolution Approving Response to Recommendations of the San Mateo County 2002-2003 Civil Grand Jury

George Kranen, Notre Dame Avenue, commented that he felt the proposed response by the City Manager regarding the Bicycles issue was cavalier, and that Belmont was not a safe and friendly bicycle town. He urged the council to take the dangers seriously.

City Manager Kersnar responded that it was difficult to respond to issues raised by the Grand Jury in isolation, and that his response was not intended to be cavalier. He clarified that he agreed with the Grand Jury that bicycle and other transportation issues should be implemented regionally, but that it was a question of availability of funds.

Action: On a motion by Councilmember Warden, seconded by Councilmember Bauer, Resolution 9451 Approving Response to Recommendations of the San Mateo County 2002-2003 Civil Grand Jury was unanimously approved by a show of hands.

Resolution Approving Plans and Specifications for the Police Department/City Hall Project and authorizing distribution to Pre-qualified Contractors, CCN 415-A.

Assistant City Manager Rich stated that the Building Permit had been issued and that the Plans were ready. He clarified that there were some minor details to be added to the specifications that will delay the issuance of the specifications by seven to ten days, but that award of contract currently scheduled for September 20 should not be delayed.

Action: On a motion by Councilmember Bauer, seconded by Councilmember Metropulos, Resolution 9452 Approving Plans and Specifications for the Police Department/City Hall Project and Authorizing Distribution to Pre-qualified Contractors, CCN 415-A was unanimously approved by a show of hands.

Resolution Approving the First Amendment to Professional Services Agreement with Harris and Associates for services related to the Police Department/City Hall Project.

George Kranen, Notre Dame Avenue, stated that a review of the fee schedule included with the staff report answered his question regarding this item.

Action: On a motion by Councilmember Warden, seconded by Councilmember Metropulos, Resolution 9453 was unanimously approved by a show of hands.

OLD BUSINESS

Discussion and Direction for Recommended Changes to the Neighborhood Traffic Calming Program.

Public Works Director Davis stated that the objectives of the Traffic Calming Program was to calm, but not control, traffic. He stated that following the trial program on Hastings Drive, changes were recommended. He clarified that the current implementation plan involved a great deal of staff time, and relied significantly on residents. He recommended that a super-majority request of the neighborhood be required to initiate the process, rather than the current simple majority. He also recommended that funding sources be identified, and that if outside sources are not available, that residents be required to pay for the implementation, including maintenance, of any plan.

Council discussion ensued regarding the process for obtaining grants and how to determine which feeder streets would be affected by the proposed plan.

In response to a question from Councilmember Feierbach regarding a plan for specific streets, such as Alameda, Public Works Director Davis stated that very little could be done on Alameda, which is a collector street.

In response to a question from Mayor Wright, Public Works Director Davis stated that traffic calming programs can be effective, but expensive.

George Kranen, Notre Dame Avenue, stated that he is distrustful of super-majority votes on anything, and recommended requiring a majority response from all affected residents with a super-majority for permanent installation.

Greg Lizak, Bishop Road, stated that the simple solution was to enforce existing traffic laws.

Councilmember Warden stated that he felt it would be impossible to get a super-majority response rate, and recommended basing a decision on a super-majority vote of survey responses, not all residents. He added that the problem that occurred on Hastings Drive was to not have included the side streets. He suggested using a 300- or 500-foot inclusion boundary for responses from feeder streets. He also stated he was not comfortable with requiring residents to pay for maintenance. Councilmember Metropulos agreed with the recommendation regarding the 67 percent return requirement.

Discussion ensued. In response to Councilmember Bauer, Public Works Director Davis clarified that the national and international standard for measuring a level of success of such a program was a two-thirds vote.

In response to a comment by Councilmember Feierbach's regarding traffic calming problems on Chula Vista Drive, Mayor Wright responded that the Council's role was to establish a process, and allow the neighborhood to mobilize itself for implementation. Councilmember Warden recommended requiring a 90 percent response rate. Mayor Wright commented that this level puts the onus on the neighbors to perform aggressive outreach.

City Manager Kersnar stated that these recommendations for changes in the program would be brought back at a future date for approval, and Mayor Wright stated that a 300-foot notification would be consistent with other entitlement requirements.

Resolution Establishing Guidelines for the Installation of Multi-Way Stop Signs on Residential Streets.

Public Works Director Davis reported that Belmont does not currently have a policy outlining criteria for the installation of stop signs. He clarified that the purpose of stop signs was to control intersection right-of-way, but not for traffic control or traffic calming. He also clarified that installing a stop sign at an intersection can sometimes be more dangerous than leaving it uncontrolled, which increases the City's liability. He outlined the various guidelines that could be incorporated into a future policy.

In response to Councilmember Feierbach's questions regarding including a psychological factor in the desire for a stop sign, Public Works Director Davis clarified that the criteria could provide flexibility, but that a decision regarding the installation of a stop sign can sometimes be subjective. He stated that Council could always vote to install a stop sign, regardless of the criteria, but it may not resolve the issue, and could move the problem elsewhere. City Manager Kersnar added that there is a tendency to deal with solutions rather than the problem.

Council and staff discussion ensued.

Councilmember Warden stated that the criteria outlined in the staff report for four-way intersections, Items 4 (e) and 4(f) should be in effect for 3-way intersections as well.

Action: On a motion by Councilmember Warden, seconded by Councilmember Bauer, Resolution 9454, amended to include 3-way intersections in Section 4 of the resolution, Residential Area, Items (e) and (f), was unanimously approved by a show of hands.

RECESS: 9:18 P.M.

RECONVENE: 9:25 P.M.

Report on Belmont Library

City Manager Kersnar stated that the original library design was based on securing State library grant, but that Belmont was not successful in obtaining that grant. He stated that the Library Steering Committee recommended implementing the local tax passed by the voters in 2001 in order to move forward with the plans for a smaller library. He clarified that the Committee would also like to explore private fundraising efforts in order to augment the smaller size.

Mark Schatz, Field Paoli Architects, reviewed the library project, including the current budget scenarios. He clarified that an 18,000 square foot library

could be built for approximately \$8 million, which is the money available from the bond, and that a 21,000 square foot library would cost \$10 million. He reviewed the site configuration for a smaller library, including the elimination of underground parking. He clarified that the site plan for the smaller library will maintain key elements for the park, including a playground, picnic area, and amphitheater. He recommended that should there be a desire for a 21,000 square foot library, a decision should be made prior to the detailed design phase. He clarified that the schematic design phase can be completed by January, and that a fundraising feasibility study could be completed by that date as well.

Finance Director Fil noted that August 10 was the cut-off date for action on the levy of the bond in order to get it on the tax rolls.

David Braunstein, Library Steering Committee, stated that there was overwhelming support to pursue fundraising efforts for a larger library, and that the Steering Committee should be able to report by January on the feasibility of obtaining that additional funding.

Council discussion ensued regarding naming rights, tax details, and site design. In response to questions regarding various fundraising efforts, Mr. Schatz clarified that \$600,000 to \$800,000 would be the amount necessary for the expansion, and \$1.5 million would include funding for a temporary facility while the new library was being built.

Greg Lizak, Bishop Road, stated that the current library was too small. He questioned the location, and expressed concerns about other uses proposed for the library such as the community room and museum.

Michael Heagerty, Lyon Avenue, member of original Library Task Force, stated that 21,000 square feet was needed, especially for the children's area. He also stated that the community room was important for special programs such as author nights. He commented that the market is good for bonds, so the tax trigger is timely. He also commented that the architect had done a good job with the redesign.

Joan Peceimer, President, Friends of Belmont Library, agreed that the community room was vital. She expressed a concern that the three-member Steering Committee was too small. She stated that since schools were closing libraries, the need for a bigger library was critical. In response to a question regarding paying the tax early, Finance Director Fil clarified that there would be provisions for early payoff.

Councilmember Warden stated that all of the proposed space in the new library would be utilized, and that the new library will be a community asset.

Mayor Wright stated that even though a \$1.5 million fundraising effort was ambitious, he would support it.

Action: On a motion by Councilmember Warden, seconded by Councilmember Bauer, Resolution 9455 Approving Revised Project Concept and authorizing project to proceed to Schematic Design Stage, Resolution 9456 Authorizing Tax Levy for Community Facilities District, and Resolution 9457 Authorizing Steering Committee to Establish Fundraising Guidelines and Protocols for fundraising were unanimously approved by a show of hands.

BOARD, COMMISSION, COMMITTEE UPDATES, AND STAFF REPORTS

Discussion and direction regarding Council Intergovernmental Agency Assignments.

City Manager Kersnar stated that there were no vacancies on the intergovernmental agency assignment list that could be filled by Councilmember Feierbach. Councilmember Feierbach stated that she could be an alternate on any assignment, and that she was interested in South Bayside Systems Authority when that position became vacant when Mayor Wright leaves the Council.

Councilmember Warden stated that the shared arrangement with Councilmember Bauer for the C/CAG assignment was not working due to that agency's desire for continuity, and that Councilmember Feierbach could take that assignment.

Councilmember Bauer stated that he would like to continue in that assignment, and suggested that Councilmember Feierbach could be an alternate.

Action: On a motion by Councilmember Warden, seconded by Councilmember Metropulos, and unanimously approved by a show of hands, Councilmember Bauer was assigned as the C/CAG delegate, with Councilmember Feierbach as the alternate.

Action: On a motion by Councilmember Warden, seconded by Mayor Wright, and unanimously approved by a show hands, Councilmember Feierbach was assigned as the alternate to the City/School District 2+2 committee.

Council concurred to leave all other assignments in place until the next reorganization, and also concurred that individual members could contact Councilmember Feierbach should they need a substitute for any other assignment.

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Discussion and direction regarding changes to the zoning ordinance relative to off-site advertising (Warden).

Councilmember Warden stated that staff was dealing with a policy decision regarding a recent offer of a donated scoreboard. Since this issue involved zoning changes because of the advertising on the scoreboard, he suggested placing the matter on the legislative calendar for potential future prioritization.

City Manager Kersnar stated that this issue was one that may need to be dealt with by both the Parks and Recreation and Planning Commissions.

Council and staff discussion ensued, and Council concurred to place the matter on the legislative calendar, which would be reviewed at the next Council meeting.

Consideration of use of RDA funds for improvements to Nesbit School (Warden).

Councilmember Warden stated that since RDA funds were no longer necessary for the Old County Road undergrounding project, he would like to divert those funds to make improvements to the field at Nesbit School. He clarified that Nesbit is in the worst condition of all of the City-maintained fields. He also suggested that this could be a subject for a future 2+2 meeting with the school district.

In response to Mayor Wright's concern regarding the commitment of RDA funds for the City Hall project, City Manager Kersnar stated that by the mid-year budget review, more details of that commitment would be known. He also stated that the Nesbit School fields issue could be reviewed along with a future economic development strategy and the reprioritization of RDA bond funds.

Council concurred to add this item to the list of potential RDA bond expenditures at the mid-year budget review.

ADJOURNMENT 10:35 P.M.

Meeting Audio and Video Recorded

Tape No. 559

Terri Cook

City Clerk